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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,488	03/20/2001	Barry Paul Pershan	Verizon-3APP	3812

32127 7590 07/16/2004

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

7

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,488

Applicant(s)

PERSHAN, BARRY PAUL

Examiner

Bing Q Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-9, 18-23, 27-29 and 31-40 is/are allowed.
- 6) ☒ Claim(s) 1, 3 and 10-17 is/are rejected.
- 7) ☒ Claim(s) 2, 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 24-26 and 30 have been canceled, thus claims 1-23, 27-29 and 31-40 are pending for examination.

Claim Objections

2. Claim 16 is objected to because of the following informalities: in line 3, the word "serve" should be changed to "server". Appropriate correction is required.

Claim Rejections - 35 USC 102

3. Claims 1, 3, 10-11 and 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by McCalmont (US Pat. No. 6,215,865).

Regarding claim 1, McCalmont teaches a method of providing a communications service in a system including a calling party, a first receiving party having a first computer and a first telephone device; and a second receiving party having a second computer and a second telephone device (see Fig. 1, telephones 124s and work stations 120s), the method comprising:

detecting a hook flash (e.g., Referring to Figure 2 and lines 10-17 for example, for accepting or receiving the call on a first extension "123", the customer service representative clicks (depresses and releases) on a call receive button "226", or in other words the customer service representative performs a "hook flash" for accepting or receiving the call in accordance with definition provided in "Newton's Telecom Dictionary", 18th Edition, page 353);

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in response to detecting a hook flash, transmitting call related data, at least some of which was previously provided to the first computer, to the second computer (see col. 2, ln 52-col. 3, ln 26); and

establishing a voice connection between the calling party and the second telephone device (see col. 11, lns 46-54).

Regarding claim 3, McCalmont teaches the method of claim 1, wherein the step of detecting a hook flash includes operating a telephone switch coupling to the calling party to the first telephone device by a telephone line to monitor the telephone line for a hook flash (e.g., monitor the telephone line for whether the call receive button is clicked by the customer service representative; see col. 4, lns 28 – 33 and col. 7, 10-17).

Regarding claim 10, McCalmont further teaches the step of transmitting call related data to the second computer includes:

operating a server to receive a telephone number from the first receiving party (see Fig 4A and col. 11, lns 1-34);

operating the server to look-up an address of the second computer from the received telephone number (see Figs 4A-4B and col. 11, ln 1-col. 12, ln 20); and

generating a message to the second computer including said address and said call related data (see Figs 4A-4B and col. 11, ln 1-col. 12, ln 20).

Regarding claim 11, McCalmont further teaches the step of transmitting the generated message to the second computer using a communications

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network which support Internet Protocol communications (see Figs 4A-4B and col. 11, ln 1-col. 12, ln 20).

Regarding claim 15, McCalmont further teaches the step of establishing a voice connection between the calling party and the second telephone device includes determining the status of a telephone line coupled to the second telephone device (see Figs 4A-4B and col. 11, ln 1-col. 12, ln 20).

Regarding claim 16, McCalmont further teaches the step of determining the status of the telephone line includes operating a serve to determine the status of said telephone line from the second computer, the second computer being coupled to the second telephone device (see Figs 4A-4B and col. 11, ln 1-col. 12, ln 20).

Claim Rejections - 35 USC 103

4. Claims 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCalmont (US Pat No. 6,215,865) in view of Rao et al (US Pat. No. 5,583,564), herein after referred as Rao.

Regarding claim 12, McCalmont teaches the invention substantially as claimed, with the exception of providing intelligent component for forwarding the call. However, Rao provides a SCP and related intelligent components for forwarding the call similar McCalmont's process (see col. 3, ln 62-col. 4, ln 8). Therefore, integrating Rao's teachings into call processing system of McCalmont would have been obvious for processing the call faster and fulfilling the called party desired instructions.

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As to claims 13-14 and 17, they are rejected for the same reasons set forth to rejecting claim 12.

Allowable Subject Matter

5. Claims 2 and 4-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Claims 6-9, 18-23, 27-29 and 31-40 are allowed.

Response to Arguments

7 Applicant's arguments regarding claim 1 filed May 12, 2004 have been fully considered but they are not persuasive.

As to claim 1, Applicant mainly argues that McCalmont does not mention "hook flash" or "hook flash mid-call trigger". Examiner agrees with the Applicant that McCalmont does not mention the "hook flash mid-call trigger". However, this feature is not included in the recited claim. To the "hook flash" alone, McCalmont provides this feature by teaching that a customer service representative can click (depress and release) a button for accepting or receiving a call. Referring to Figure 2 and lines 10-17 in column 7 for example, for accepting or receiving the call on a first extension "123", the customer service representative clicks (depresses and releases) on a call receive button "226", or in other words the customer service representative performs a "hook flash" for accepting or receiving the call in accordance with definition provided in "Newton's Telecom

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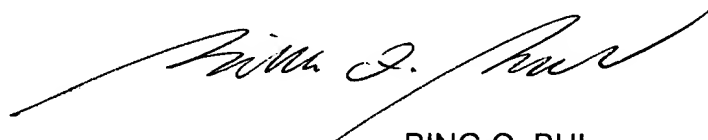
Dictionary", 18th Edition, page 353. Due to the above reasons, the rejection claim 1 in view of McCalmont is maintained.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response EXPEDITED PROCEDURE) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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Jul / 14 / 2004



BING Q. BUI
Primary Examiner